

PATENT COOPERATION TREATY



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference EMW20992	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/KR2003/000662	International filing date (day/month/year) 02 APRIL 2003 (02.04.2003)	Priority date (day/month/year) 04 APRIL 2002 (04.04.2002)
International Patent Classification (IPC) or national classification and IPC IPC7 H01Q 5/00		
Applicant E.M.W. Antenna Co., Ltd. et al		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet. <input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of _____ sheets.
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 27 OCTOBER 2003 (27.10.2003)	Date of completion of this report 13 JULY 2004 (13.07.2004)
Name and mailing address of the IPEA/KR  Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	Authorized officer LIM, JONG SIK  Telephone No. 82-42-481-5734

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/KR2003/000662

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the claims:
pages _____, as originally filed
pages _____, as amended (together with any statement) under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the drawings:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language English which is

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☒ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheet _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed." and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item I and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION

International application No.

PCT/KR2003/000662

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	2,5	YES
	Claims	1,3,4	NO
Inventive step (IS)	Claims	5	YES
	Claims	1-4	NO
Industrial applicability (IA)	Claims	1-5	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Present Application (PA) : PCT/KR2003/00662

Document 1 (D1) : JP 06-037531A (1994.02.10)

Document 2 (D2) : EP 1122811A1 (2001.08.08)

Document 3 (D3) : WO 98/10485 (1998.12.03)

Novelty

The invention as defined in the claims 1~5 relates to an dual band antenna for wireless communications.

Especially, the claim 1 describes the dual band antenna having internal parasitic element, external helical element, and the dielectric material between them. However, in D1 and D2, other multi- and wide-band antenna systems composed of helical coil, conductive parasitic element, and dielectric material have been proposed already. The structures, technical purposes and effects of the PA and D1 and D2 are almost same.

The claims 3 and 4 describe the dual band antenna of which operating frequency can be adjusted by modifying the length and thickness of internal parasitic element. However, the same method to adjust the frequency of the dual band antenna has been described in D3.

Consequently, claims 1, 3, and 4 do not meet the requirements of PCT Article 33(2) because the preceding documents have already proposed the same inventions.

Inventive step

The claim 2 of PA deals with the helical antenna having a rectangular pillar as the internal parasitic element and a rectangular-meander which wrap around 3 sides of the parasitic element 3-sides while the other 1 side being open.

However, in D2, a helical antenna which has the similar rounding meander element around the parasitic element has been illustrated. So it is believed that the claim 2 lacks of inventive step defined as PCT Article 33(3)

Industrial applicability

Claims 1~5 are considered to be industrially applicable according to PCT Article 33(4) because the related multi band antenna are being used extensively for wireless communication systems.